

Idaho Heating, Ventilation and Air Conditioning Board Meeting

Monday – August 18, 2003
Division of Building Safety – Meridian, Idaho

CALL TO ORDER Chairman Minegar called the meeting to order at 10:00 am on Monday, August 18, 2003 at the Division of Building Safety, Meridian, Idaho.

PRESENT Board members present included Pat Minegar, Russ Firkins, Jim Bledsoe, Steve Brown (by conference call), Steve Keys, and Mike Wisdom. Present from the Division of Building Safety were Dave Munroe, Administrator; Kay Manweiler, Deputy Attorney General; and Shauna Wallace, Administrative Assistant and recording secretary. Also present was Les Tibbals, City of Nampa.

ADMINISTRATIVE RULES RE-DRAFT DATED AUGUST 15, 2003 Chairman Minegar began the review of the administrative rules re-draft from Kay Manweiler dated August 15, 2003. (attached)

Section 060.02 Russ Firkins requested the word “than” be replaced with the word “that”.

Steve Keys motioned to approve the administrative rules as revised. Seconded. Passed.

It was the Board’s consensus that Ms. Manweiler submit the administrative rules as proposed only.

Ms. Manweiler informed the Board she would provide a draft legislative proposal at least one week prior to the September 11, 2003 meeting for the Board’s review.

BOARD MEETING CALENDAR Chairman Minegar asked Dave Munroe to report on the status of the November 12, 2003 meeting to be held in Pocatello, Idaho. Mr. Munroe gladly informed the Board that the meeting could be changed to the original date of November 13, 2003 and be held at the Red Lion Inn in Pocatello, Idaho. Mr. Munroe set up a “block” of rooms for the night of November 12, 2003 for the Board and the staff. The Board agreed to move the meeting to November 13, 2003.

ADJOURNMENT The meeting was adjourned at 10:08 am.

Respectfully submitted,

Shauna Wallace

KCM DRAFT: August 15, 2003

**IDAPA 07
TITLE 07
CHAPTER 01**

**07.07. - RULES GOVERNING INSTALLATION OF HEATING, VENTILATION,
AND AIR CONDITIONING SYSTEMS**

DIVISION OF BUILDING SAFETY

000. LEGAL AUTHORITY.

This chapter is adopted in accordance with Section 54-5005(2), Idaho Code.

001. TITLE AND SCOPE.

01. Title. These rules shall be cited in full as IDAPA 07.07.01, "Rules Governing Installation of Heating, Ventilation, and Air Conditioning Systems, Division of Building Safety" (HVAC rules).

02. Scope. These rules establish the minimum standards for heating, ventilation, and air conditioning (HVAC) installation practice, certification, registration, and educational programs.

002. WRITTEN INTERPRETATIONS.

This agency has no written interpretations of this chapter.

003. ADMINISTRATIVE APPEALS.

The Idaho Rules of Administrative Procedure of the Attorney General on contested cases, IDAPA 04.11.01, "Idaho Rules of Administrative Procedure," Section 100, et seq., shall apply in addition to IDAPA 07.07.01, "Rules Governing Installation of Heating, Ventilation, and Air Conditioning Systems, Division of Building Safety" and the provisions of Chapter 50, Title 54, Idaho Code.

004. INCORPORATION BY REFERENCE.

There are no documents that have been incorporated by reference into this rule.

005. OFFICE -- OFFICE HOURS -- MAILING ADDRESS AND STREET ADDRESS.

The principal place of business of the Division of Building Safety, HVAC Bureau is located at 1090 E. Watertower Street, Meridian, Idaho. The office is open from 8 a.m. to 5 p.m., except Saturday, Sunday, and legal holidays. The mailing address is: Division of Building Safety, HVAC Bureau, 1090 E. Watertower Street, Meridian, Idaho 83642. The office telephone number is (208) 334-3950 and the facsimile number is (208) 855-2164.

006. FILING OF DOCUMENTS. All written communications and documents that

are intended to be part of an official record for decision in a rulemaking or contested case, must be filed with the administrator of the Division. One (1) original is sufficient for submission to Division, and one (1) copy submitted to the opposing party. Whenever documents are filed by facsimile transmission, originals shall be deposited in the mail the same day or hand-delivered the following business day to the Division, and opposing parties. No record intended to be part of an official record for decision in a rulemaking or a contested case may be filed in a manner not set forth in this rule.

007. PUBLIC RECORDS ACT COMPLIANCE. These rules were promulgated in accordance with the Administrative Procedure Act, Title 67, Chapter 52, Idaho Code. These rules and all records of the HVAC board are subject to the provisions of the Idaho Public Records Act, Title 9, Chapter 3, Idaho Code.

008. CHANGES IN NAME AND ADDRESS – ADDRESS FOR NOTIFICATION PURPOSES.

01. Change Of Name. Whenever a change of name occurs for a certificated contractor, journeyman, specialty contractor or registered apprentice, the HVAC board must be notified immediately, in writing, of the change. Documentation confirming the change of name must be provided to the board on request.

02. Change Of Address. Whenever a change of mailing address occurs for a certificated contractor, journeyman, specialty contractor or registered apprentice, the HVAC board must be notified immediately, in writing, of the change.

03. Address For Notification Purposes. The most recent mailing address on record with the HVAC board will be utilized for purposes of all written communication with certified contractors, journeymen, specialty contractors and registered apprentices, including, but not limited to, notification of renewal and notices related to inspections.

009. Meetings. HVAC Board meetings are subject to the provisions of the Idaho Open Meeting Law, Title 67, Chapter 23, Idaho Code.

010. DEFINITIONS.

01. Administrator. The administrator of the Idaho Division of Building Safety.

02. Board. The Idaho Heating, Ventilation, and Air Conditioning (HVAC) Board.

03. Bureau. The Idaho Division of Building Safety, Heating, Ventilation, and Air Conditioning Bureau.

04. Division. The Idaho Division of Building Safety.

05. Additional Definitions. Terms defined in Section 54-5003, Idaho Code, will have the same meaning when utilized in these Rules.

06. Rules. IDAPA 07.07.01, "Rules Governing Installation of Heating, Ventilation, and Air Conditioning Systems, Division of Building Safety."

011. -- 019. (RESERVED).

020. HVAC CONTRACTOR AND HVAC JOURNEYMAN APPLICATIONS FOR EXAMINATION AND CERTIFICATES OF COMPETENCY, AND REGISTRATION OF APPRENTICES. Application forms for HVAC contractor, HVAC specialty contractor, and HVAC journeyman examinations or certificates of competency and for HVAC apprentice registrations, shall be printed and made available by the HVAC Bureau.

01. Application Forms. All applications for certificates and all applications for registration shall be submitted on forms provided by the HVAC Bureau and shall be properly completed, giving all pertinent information, and all signatures shall be notarized.

02. Application, Renewal and Registration Fees. Fees for applications for Examination, Certificates of Competency, Renewal of Certificates, and fees for Apprentice Registration shall be as set forth in Idaho Code Section 54-5012.

03. Application Submission. All applications shall be submitted to the HVAC Bureau and shall be approved by an authorized representative of the HVAC Bureau before any examination may be taken and before any certificate of competency is issued.

04. Expiration of Application. As set forth in Idaho Code Section 54-5010 (3), applications shall expire and be cancelled after a period of one (1) year from the date the applicant is first approved for examination whether or not the applicant appears for examination.

021. HVAC CONTRACTOR CERTIFICATE OF COMPETENCY.

01. Requirements For HVAC Contractor.

a. Bond. Applicants shall provide a performance bond in the amount of two thousand dollars (\$2,000).

b. Qualification: Applicants shall provide proof, satisfactory to the board, of having legally acted as an HVAC journeyman for a period of not less than twenty four months.

c. Examination: Applicants for certification as HVAC contractors must successfully complete the examination designated by the board

02. Alternate Requirements for HVAC Contractor (applies only until April 1, 2005).

a. Bond. Applicants shall provide a performance bond in the amount of two thousand dollars (\$2,000).

b. Qualification: Proof, satisfactory to the board, of having engaged in the business of HVAC contracting prior to July 1, 2004. Forms of proof include, but are not limited to: copies of business licenses or registrations, tax returns, business advertisements, client affidavits, descriptions of work done to date.

c. Examination: Copies of the HVAC statute and rules, along with an examination regarding the statute and rules will be included in each application package. The examination must be completed using the statute and rules and a written verification of completion of the examination must be submitted at the same time as the completed application for a certificate of competency.

022. HVAC SPECIALTY CONTRACTOR CERTIFICATE OF COMPETENCY.

01. Requirements For HVAC Specialty Contractor.

a. Bond. Applicants shall provide a performance bond in the amount of two thousand dollars (\$2,000).

b. Qualification: Applicants shall provide proof, satisfactory to the board, of having legally acted as an HVAC specialty journeyman for a period of not less than twenty four months.

c. Examination: Applicants for certification as HVAC specialty contractors must successfully complete the examination designated by the board.

02. Alternative Requirements for HVAC Specialty Contractor (applies only until April 1, 2005).

a. Bond. Applicants shall provide a performance bond in the amount of two thousand dollars (\$2,000).

b. Qualification: Proof, satisfactory to the board, of having engaged in the business of HVAC specialty contracting prior to July 1, 2004. Forms of proof include, but are not limited to: copies of business licenses or registrations, tax returns, business advertisements, client affidavits, descriptions of work done to date.

c. Examination: Copies of the HVAC statute and rules, along with an examination regarding the statute and rules will be included in each application package.

The examination must be completed using the statute and rules and a written verification of completion of the examination must be submitted at the same time as the completed application for a certificate of competency.

023. HVAC JOURNEYMAN CERTIFICATES OF COMPETENCY.

01. Requirements For HVAC Journeyman.

a. Experience: Demonstrate, to the satisfaction of the board, a minimum of four (4) years experience working in the trade, in compliance with the requirements of the state in which the applicant received his supervision, or as a registered HVAC apprentice making HVAC installations on the job under the constant supervision of a qualified HVAC journeyman.

b. Education: Successfully complete any required apprenticeship training courses.

c. Examination: Applicants for certification as HVAC Journeymen must successfully complete the examination designated by the board.

02. Alternate Requirements for HVAC Journeyman (applies only until April 1, 2005).

a. Qualification: Proof, satisfactory to the Board, of having been engaged or being qualified to be engaged in the installation, improvement, extension, alteration or repair of HVAC systems as a journeyman prior to July 1, 2004. Forms of proof include, but are not limited to: copies of journeyman certification, licensure or registration, signed notarized affidavits from employers or labor organizations, or certificates of completion from journeyman educational or training programs.

b. Examination: Copies of the HVAC statute and rules, along with an examination regarding the statute and rules will be included in each application package. The examination is to be completed using the statute and rules and a written verification of completion of the examination must be submitted at the same time as the completed application for a certificate of competency

024. HVAC APPRENTICE REQUIREMENTS FOR REGISTRATION.

01. Requirements For HVAC Apprentice

a. Minimum of sixteen (16) years of age.

b. Maintain enrollment in a training program approved by the Board.

c. Work only under the constant on the job supervision by a certificated HVAC journeyman.

025. -- 049. (RESERVED).

050. HVAC PERMITS.

01. Serial Number. Each permit shall bear a serial number.

02. HVAC Contractors and HVAC Specialty Contractors. The Division shall furnish permits to certified HVAC contractors and HVAC Specialty Contractors upon request. The serial numbers of such permits shall be registered in the name of the HVAC contractor or HVAC specialty contractor to whom they are issued. Permits shall not be transferable.

03. Home Owners. Home owners or a contract purchaser of residential property, making HVAC installations on their own residences, coming under the provisions of Section 54-5002, Idaho Code, shall secure an HVAC permit by making application to the Division as provided in Section 54-5016, Idaho Code.

04. HVAC Contractors and HVAC Specialty Contractors. HVAC Contractors and HVAC Specialty Contractors shall secure an HVAC permit by making application to the Division as provided in Section 54-5016, Idaho Code.

05. Expiration Of Permit. Every permit issued by the Division under the provisions of Section 54-5017, Idaho Code, shall expire by limitation and become null and void if the work authorized by such permit is not commenced within one hundred and twenty (120) days from the date of issuance of such permit, or if work authorized by such permit is suspended or abandoned at any time after work is commenced for a period of one hundred and twenty (120) days. Before such work can be recommenced, a new permit must first be obtained, and the fee shall be one-half (1/2) the amount required for a new permit for such work; provided, no changes have been made, or will be made in the original plans and specifications for such work; and provided further, that such suspension or abandonment has not exceeded one (1) year. All HVAC fixtures shall be listed on the application for permit.

051. -- 059. (RESERVED).

060. REQUIRED INSPECTIONS. All work performed under a HVAC permit shall be inspected by a designated, qualified, properly identified agent of the authority having jurisdiction to ensure compliance with Title 54, Chapter 50, Idaho Code, and IDAPA 07.07.01.

01. Request For Division of Building Safety Inspection.

a. Inspection. Each permit holder shall notify the Division at least one (1) day prior to the desired inspection, Sundays and holidays excluded, that the project is ready for inspection.

b. Reinspection. If a reinspection is required after the final inspection, due to a failure to meet requirements of Title 54, Chapter 50, Idaho Code, and/or IDAPA 07.07.01, the permit holder will be charged a fee not to exceed the actual cost of each reinspection.

02. Inspection Tags. Inspectors certify to the permit holder that an inspection has been done by securely attaching the appropriate inspection tag to the equipment.

a. Final Inspection Tags. Blue colored “final inspection” tags are attached when the HVAC installation as specified on the permit is complete and conforms to the requirements of the code and rules.

b. Inspection Tags For Unacceptable HVAC Installations. Red colored “unacceptable” inspection tags are attached to indicate that the HVAC installation is not acceptable and that corrections are required.

c. Work in Progress Tag. Green colored “work in progress” inspection tags are attached following inspection of ground work, rough-in work, or any portion of the installation that is to be covered or otherwise concealed before completion of the entire HVAC installation as specified on the permit.

061. HVAC INSTALLATION PERMIT AND INSPECTION FEES--PRIOR TO COMMENCEMENT OF WORK.

01. Residential Single And Duplex Family Dwelling Permit and Inspection Fees. Where a permit is obtained prior to the commencement of work on residential single and duplex family dwellings, there will be assessed a fifty dollar (\$50) base permit fee plus an inspection fee of:

a. Fifty dollars (\$50) for each furnace, furnace-air conditioner combination, heat pump, air conditioner, evaporative cooler, unit heater, space heater, decorative gas-fired appliance, incinerator, boiler, pool heater, and similar fixtures or appliances. Fee includes ducts, vents, and flues attached thereto.

b. Fifteen dollars (\$15) for each exhaust or ventilation duct such as dryer vents, range hood vents, cook stove vents, bath fan vents, and similar exhaust and ventilation ducts.

- c. Fifty dollars (\$50) for the fuel gas piping system.

02. Multifamily, Commercial, Institutional, Industrial, And All Other HVAC Installation Permit and Inspection Fees. Where a permit is obtained prior to the commencement of work on multifamily, commercial, institutional, industrial and all other HVAC installations, there will be assessed a fifty dollar (\$50) base permit fee for each building plus an inspection fee based on the selling price of the completed HVAC installation including equipment, appliances, piping systems, materials, and labor of:

- a. Three percent (3%) of the value of the HVAC installation up to twenty thousand dollars (\$20,000); plus
- b. Two percent (2%) of the value of the HVAC installation in excess of twenty thousand dollars (\$20,000) up to one hundred thousand dollars (\$100,000); plus
- c. One percent (1%) of the value of the HVAC installation in excess of one hundred thousand dollars (\$100,000) up to two hundred thousand dollars (\$200,000); plus
- d. One-half of one percent (1/2%) of the value of the HVAC installation in excess of two hundred thousand dollars (\$200,000).

062. HVAC INSTALLATION PERMIT AND INSPECTION FEES-AFTER COMMENCEMENT OF WORK. Where a permit is obtained after the HVAC installation work has commenced, the inspection and permit fees to be assessed shall be an amount equal to twice the sum obtained by adding the base fee to the inspection fee that would have been assessed had the permit been obtained prior to the commencement of the installation.

062. – 069. (RESERVED)